

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM F. LUNDER,

Plaintiff

vs.

MOTION CONTROL INDUSTRIES,  
DIVISION OF CARLISLE  
CORPORATION, RETIREMENT PLAN  
FOR BARGAINING UNIT EMPLOYEES  
OF MOTION CONTROL INDUSTRIES,  
DIVISION OF CARLISLE  
CORPORATION,

Defendants

) Docket No. 04-278E  
) (Judge Maurice B. Cohill, Jr.)  
)  
) ELECTRONICALLY FILED PLEADING  
)  
)  
) DEFENDANTS' MOTION FOR SUMMARY  
) JUDGMENT  
)  
) Filed on behalf of: Defendants  
)  
) Counsel of record for this party:  
) Richard A. Lanzillo, Esq.  
) Knox McLaughlin Gornall  
) & Sennett, P.C.  
) 120 West 10<sup>th</sup> Street  
) Erie, PA 16501  
) Telephone (814) 459-2800  
) Facsimile (814) 453-4530  
) Email rlanzillo@kmgslaw.com  
) PA53811  
)  
)

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants, Motion Control Industries, Inc., Division of Carlisle Corporation, and Retirement Plan for Bargaining Unit Employees of Motion Control Industries, Division of Carlisle Corporation, hereby move for summary judgment pursuant to F.R.C.P. 56.

In support of this motion, defendants incorporate by reference their Concise Statement of Material Facts, Appendix of Exhibits, and Memorandum in Support of Motion for Summary Judgment.

For the reasons set forth in their accompanying memorandum, defendants are entitled to summary judgment on plaintiff's claim. No material issue of fact remains for trial and defendants are entitled to judgment in their favor as a matter of law.

Respectfully submitted,

KNOX McLAUGHLIN GORNALL &  
SENNETT, P.C.

DATE: March 30, 2006

By: Richard A. Lanzillo /s/  
Richard A. Lanzillo  
PA53811  
120 West Tenth Street  
Erie, PA 16501-1461  
Telephone: (814) 459-2800  
Fax: (814) 453-4530  
Email: rlanzill@kmgslaw.com

Attorneys for Defendants, Motion  
Control Industries, Division of  
Carlisle Corporation, Retirement  
Plan for Bargaining Unit Employees  
of Motion Control Industries,  
Division of Carlisle Corporation

# 664429